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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/840,156	05/06/2004	Joseph D. La Scola	Internet Photonics 4

CONFIRMATION NO. 7411

Henry T. Brendzel
P.O. Box 574
Springfield, NJ 07081

FORMALITIES LETTER



OC000000013215072

Date Mailed: 07/13/2004

due 9/13

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 8 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required.

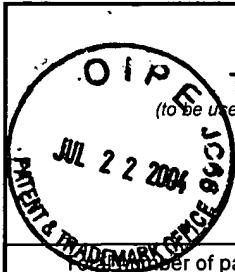
A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Janaye Asrat

Customer Service Center
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PART 1 - ATTORNEY/APPLICANT COPY

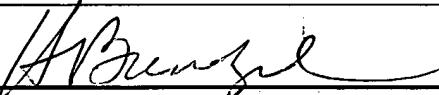

TRANSMITTAL FORM
(to be used for all correspondence after initial filing)

Complete if Known	
Application Number	10/840,156
Filing Date	5/6/2004
First Named Inventor	Joseph D LaScola
Examiner Name	
Group/Art Unit	2833
Number of pages in this Submission: this page, plus	5
Attorney Docket ID	Internet Photonics 4

ENCLOSURES (check all that apply)

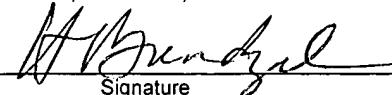
<p>If Fee Form is not included, but a fee is due, the Commissioner is Authorized to charge Deposit Account No 500732 of Henry T. Brendzel, and consider that appropriate requests have been made.</p> <p><input type="checkbox"/> Fee Form (<input type="checkbox"/> Check included)</p> <p><input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final</p> <p><input type="checkbox"/> Affidavit(s)/Declaration(s)</p> <p><input type="checkbox"/> Extension of Time Request</p> <p><input type="checkbox"/> Information Disclosure Statement</p> <p><input type="checkbox"/> Certified Copy of Priority document(s)</p> <p><input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.2 or 1.53</p>	<p><input type="checkbox"/> Declaration (no Missing Parts Notice)</p> <p><input type="checkbox"/> Assignment Papers (for an Application)</p> <p><input type="checkbox"/> Drawing(s)</p> <p><input type="checkbox"/> Licensing-related Papers</p> <p><input type="checkbox"/> Petition Routing Slip (TO/SB/69) and Accompanying Petition</p> <p><input type="checkbox"/> To Convert a Provisional Application</p> <p><input type="checkbox"/> Power of Attorney, Revocation or Change of Correspondence Address</p> <p><input type="checkbox"/> Express Abandonment</p> <p><input type="checkbox"/> Terminal Disclaimer</p> <p><input type="checkbox"/> To Convert to Statutory Invention Registration</p>	<input type="checkbox"/> Postcard(s)
		<input type="checkbox"/> Small Entity Statement
		<input type="checkbox"/> Request for a Refund
		<input type="checkbox"/> After Allowance Communication to group
		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
		<input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief)
		<input type="checkbox"/> Proprietary Information
		<input type="checkbox"/> Status Letter
		<input checked="" type="checkbox"/> Other Notice of Missing parts

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Henry T. Brendzel	
Signature		Date 7/19/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as service in an envelop addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450 on this date:

Name of Person Signing		Date 7/19/04
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CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being electronically transmitted by facsimile to the United States Patent Office:

Henry Brendzel		Date
Name of Person Signing	Signature	Date